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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,265	01/26/2001	Greg Arnold	PALM-3565.US.P	7984

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06/18/2004

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EXAMINER

WALLACE, SCOTT A

ART UNIT	PAPER NUMBER
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2671

12

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,265

Applicant(s)

ARNOLD ET AL

Examiner

Scott Wallace

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 8, 11-14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg, U.S. Patent No. 6,618,763 in view of Fascenda, U.S. Patent No. 6,560,604.

4. As per claims 1 and 20, Steinberg discloses a method of adapting content for transmission to a palmtop computer (column 1 lines 34-35 and 64-67 and column 2 lines 1-8), comprising: receiving an identifier (ID) from the palmtop at a data center (centralized database, column 1 lines 64-67 and column 2 lines 1-8); a profile for downloading information to the palmtop computer (column 2 lines 58-61); adapting content to be transmitted to the palmtop computer based upon the profile (column 2 lines 58-61).

However, Steinberg does not disclose accessing a table of data in conjunction with said identifier. This is disclosed in Fascenda in the abstract and column 10 lines 43-50. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use tables as in Fascenda with the data of Steinberg because tables were an efficient way to organize data when you had ID's to access it.

5. As per claim 8, Steinberg in view of Fascenda does not disclose wherein the adapting comprises transmitting only a first frame of an animated GIF. This would have been obvious to one of ordinary skill in the art at the time the invention was made because PDA's were known to have limited processing power and ability therefore they could not handle animated sequence.

6. As per claim 11, Steinberg in view of Fascenda does not disclose wherein the adapting comprises converting a digital audio signal with a first sampling rate to a digital audio signal with a second sampling rate, and wherein the second sampling rate is lower than the first sampling rate. This would have been obvious to one of ordinary skill in the art at the time the invention was made because PDA's were known to have limited processing power and ability therefore they could not handle audio with a high sampling rate.

7. As per claim 12, Steinberg in view of Fascenda does not disclose wherein the identifier comprises a serial number. This would have been obvious to one of ordinary skill in the art at the time the invention was made because to identify the particular palmtop computer and its capabilities you would need to know which particular palmtop computer it is and using the serial number would allow someone to look up the exact model and therefore find the exact capabilities. This makes it specific to one palmtop computer with certain capabilities.

8. As per claim 13, Steinberg in view of Fascenda does not disclose wherein the identifier comprises a request header transmitted from the palmtop computer. This would have been obvious to one of ordinary skill in the art at the time the invention was made because this would let the central database know that something is requesting information.

9. As per claim 14, Steinberg discloses wherein said data center comprises a proxy server serving the palmtop computer (column 2 lines 1-10, the centralized database is another machine on the network which is functioning the same as a server).

10. Claims 2-8, 15-16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg in view of Fascenda as applied to claim 1 above, and further in view of Robotham et al., U.S. Patent No. 6,704,024.

11. As per claim 2, Steinberg in view of Fascenda discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda

does not disclose further comprises a transmission speed for transmission to the palmtop computer. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the transmission speed to the palmtop computer because different palmtops could have different speeds of transmission, therefore if one could receive information faster you would want to take advantage of this fact.

12. As per claim 3, Steinberg in view of Fascenda discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda does not disclose further comprises a processing power for a processor residing within the palmtop computer. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the processing power of the palmtop computer because different palmtops could have different processing power, therefore if one had more processing power you would want to take advantage of this fact.

13. As per claim 4, Steinberg in view of Fascenda discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda does not disclose further comprises a display parameter for a display of the palmtop computer. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the display parameter of the palmtop computer because different palmtops could have different display parameters, therefore if one could have more display parameters you would want to take advantage of this fact because the final image would look more pleasing on that particular device.

14. As per claim 5, Steinberg in view of Fascenda in view of Robotham et al discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda in view of Robotham does not disclose wherein the display parameter comprises the display's color handling ability. This would have been obvious to one of ordinary skill in the art at the time the invention was made because different palmtops could have different color handling ability, therefore if one could have more display colors you would want to take advantage of this fact because the final image would look more pleasing on that particular device.

15. As per claim 6, Steinberg in view of Fascenda in view of Robotham et al does not disclose wherein the display parameter comprises the display resolution. This would have been obvious to one of ordinary skill in the art at the time the invention was made because different palmtops could have different resolutions, therefore if one could have better resolution you would want to take advantage of this fact because the final image would look more pleasing on that particular device.

16. As per claim 7, Steinberg in view of Fascenda discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda does not disclose further comprises an amount of memory available to the palmtop computer. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the amount of memory available to the palmtop computer because different palmtops could have different memory capacities, therefore if one could had more information you would want to take advantage of this fact because this would improve system performance.

17. As per claim 8, Steinberg in view of Fascenda discloses wherein the table of data in conjunction with said identifier from the palmtop computer as seen above. However, Steinberg in view of Fascenda does not disclose further comprises a data transmission format. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the transmission format to the palmtop computer because different palmtops could handle different formats of transmission, therefore if one could receive formats you would want to take advantage of this fact because the palmtop could handle more of a variety of data.

18. As per claim 15, Steinberg discloses method of adapting content for transmission to a palmtop computer (column 1 lines 34-35 and 64-67 and column 2 lines 1-8), comprising: receiving an identifier (ID) from the palmtop at a data center (centralized database, column 1 lines 64-67 and column 2 lines 1-8); selecting a profile for downloading information to the palmtop and adapting content to be transmitted to the palmtop computer based upon the profile (column 1 lines 63-67 and column 2 lines 1-10 and 57-67). However, Steinberg does not disclose the identifier comprising the serial number and a request header. This would have been obvious to one of ordinary skill in the art at the time the invention was

made because to identify the particular palmtop computer and its capabilities you would need to know the serial number to look it up and this would let the central database know that something is requesting information. Steinberg does not disclose accessing a table of data in conjunction with said identifier. This is disclosed in Fascenda in the abstract and column 10 lines 43-50. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use tables as in Fascenda with the data of Steinberg because tables were an efficient way to organize data when you had ID's to access it.

Steinberg does not disclose a processing power for a processor residing within the palmtop computer by reference to the identifier. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the processing power of the palmtop computer because different palmtops could have different processing power, therefore if one had more processing power you would want to take advantage of this fact. Steinberg does not disclose a display resolution parameter and a display color handling ability for a display of the palmtop computer by reference to the identifier. This would have been obvious to one of ordinary skill in the art at the time the invention was made because different palmtops could have different color handling ability and different resolutions, therefore if one could have more display colors with better resolution you would want to take advantage of this fact because the final image would look more pleasing on that particular device. Steinberg does not disclose a display parameter for a display of the palmtop computer by reference to the identifier. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the display parameter of the palmtop computer because different palmtops could have different display parameters, therefore if one could have more display parameters you would want to take advantage of this fact because the final image would look more pleasing on that particular device. Steinberg does not disclose an amount of memory available to the palmtop computer by reference to the identifier. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the amount of memory available to the palmtop computer because different palmtops could have different memory capacities, therefore if one could had more information you would want to take advantage of this fact because this would improve system performance. Steinberg

does not disclose a data transmission format. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the transmission format to the palmtop computer because different palmtops could handle different formats of transmission, therefore if one could receive formats you would want to take advantage of this fact because the palmtop could handle more of a variety of data. Steinberg does not disclose a transmission speed for transmission to the palmtop computer. This is disclosed in Robotham et al in column 2 lines 5-45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to figure the transmission speed to the palmtop computer because different palmtops could have different speeds of transmission, therefore if one could receive information faster you would want to take advantage of this fact.

19. As per claim 16, Steinberg in view of Fascenda in view of Robotham et al does not disclose wherein the adapting comprises transmitting only a first frame of an animated GIF. This would have been obvious to one of ordinary skill in the art at the time the invention was made because PDA's were known to have limited processing power and ability therefore they could not handle animated sequence.

20. As per claim 18, Steinberg in view of Fascenda in view of Robotham et al does not disclose wherein the adapting comprises converting a digital audio signal with a first sampling rate to a digital audio signal with a second sampling rate, and wherein the second sampling rate is lower than the first sampling rate. This would have been obvious to one of ordinary skill in the art at the time the invention was made because PDA's were known to have limited processing power and ability therefore they could not handle audio with a high sampling rate.

21. As per claim 19, Steinberg discloses wherein said data center comprises a proxy server serving the palmtop computer (column 2 lines 1-10, the centralized database is another machine on the network which is functioning the same as a server).

22. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg in view of Fascenda as applied to claim 1 above, and further in view of Britton et al., U.S. Patent No. 6,654,814.

23. As per claim 10, Steinberg in view of Fascenda does not disclose wherein the adapting comprises converting color images to a low resolution grey scale scale image. This is disclosed in Britton et al in column 2 lines 37-46. It would have been obvious to one of ordinary skill in the art at the time the invention was made because palmtop computers had less processing and display ability than desktop computers, therefore you had to reduce high display like color images to low resolution grey that the palmtop computers could handle.

24. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg in view of Fascenda in view of Robotham et al as applied to claim 15 above, and further in view of Britton et al.

25. As per claim 17, Steinberg in view of Fascenda in view of Robotham et al does not disclose wherein the adapting comprises converting color images to a low resolution grey scale scale image. This is disclosed in Britton et al in column 2 lines 37-46. It would have been obvious to one of ordinary skill in the art at the time the invention was made because palmtop computers had less processing and display ability than desktop computers, therefore you had to reduce high display like color images to low resolution grey that the palmtop computers could handle.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Wallace whose telephone number is 703-605-5163. The examiner can normally be reached on Monday thru Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached on 703-305-9798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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